

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 2nd day of July, 2007 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Frank Hametner, Council Member
Vickie Abrego, Council Member
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT: Mike Sullinger, Interim City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT: None

STAFF PRESENT: Darren Gurley, Public Works Director
Darrell Jones, Police Chief
Gilbert Ritz, Fire Chief
Frank Truitt, City Inspector

OTHERS PRESENT: James Hale, Ralph & Lu Arcemont, Don & Jeanie Brummett, Jim & Alpha Covington, Manuel Buentello, Belinda Ritz, Ann P. Melton, Lou McCleese, Margaret Garrett, Patty Gilden, Rosemary Upton, Mary Tiemann, John Snodgrass

(There may have been others present who did not sign in.)

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on July 2, 2007.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the Invocation. Mayor Knight led the Pledge of Allegiance to the United States Flag.

ITEM 3. CONSENT AGENDA – *“All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately”.*

- A. Approval of Minutes of June 18 and June 19, 2007.
- B. Consider and Act on Approval of Ordinance 2007-3919 Approving the rezoning of Lots 14, 15, and 16, Block 576:, Mackeys Addition from Residential (R-7A) to General Business.
- C. Consider and Act on Approval of Ordinance 2007-3920 Granting a Conditional Use Permit for operation of a tattoo studio business at 305 S. Commercial St., City of Aransas Pass, Texas, Subject to conditions set forth.

Council Member Hametner made the motion to approve the Consent Agenda. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 4. CONSIDER AND ACT ON APPOINTMENTS TO THE BOARD OF ADJUSTMENTS.

City Inspector Frank Truitt stated Mr. Dave Willis had moved from the City and was therefore ineligible to serve on the Board. He stated Mr. Harlow Landphair, Mr. Jack Edsill, and Mr. Jim Covington had applied for the Board of Adjustments.

After discussion, Mayor Pro Tempore Attaway made the motion to appoint Mr. Tom Andrews as a regular Board Member, from his alternate position, appoint Mr. Covington as a regular Board Member and appoint Mr. Edsill and Mr. Landphair as alternate Board Members. Council Member Hametner seconded the motion with the recommendation to the Board of Adjustments that Mr. Tom Andrews be reappointed Chairman of the Board of Adjustments. The motion carried unanimously.

ITEM 5. **UPDATE ON ARRESTS AND PRESENTATION OF CONFISCATED MATERIALS BY POLICE CHIEF DARRELL JONES.**

Police Chief Darrell Jones, giving a report on recent gang violence, stated the Police Department had made seven arrests resulting in 14 felony charges. He stated among the recovered items were 18 firearms, three ounces of cocaine, four pounds of marijuana and 21 grams of heroine were taken off the street in the last two months.

Detective Gus Perez, reporting on the recent wave of crime violence, presented a timeline to keep track of the shootings, and also a map showing all misdemeanor and felony investigations, and addresses where warrants have been executed. Detective Perez presented mug shots of those who have been arrested, and their status, including what their charges were and if they are currently out on bail.

Mayor Knight and Council Member Frank Hametner encouraged the department to continue with their efforts and commended them for their perseverance.

ITEM 6. **CONSIDER AND ACT ON APPROVING BUDGET AMENDMENT FOR HARBOR FUND.**

The City Manager stated the City would need an additional \$50,000 to remove more vessels in the harbor. He projected the final cost of the harbor cleanup to be \$175,000.00 with a finish date as early as November. He stated the Coast Guard would remove their boat from the harbor.

Council Member Hametner made the motion to approve the budget amendment for the Harbor Fund. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 7. **CONSIDER AND ACT ON TERMINATING HARBOR LEASE 86-007, RONALD KULLMAN DBA CITY NET SHOP, AND ACCEPTING OWNERSHIP OF BUILDING(S) LOCATED ON LEASE PROPERTY BEING LOTS 20 AND 21, BLOCK A, CONN BROWN HARBOR, FROM RONALD KULLMAN.**

After discussion, Council Member Hametner made the motion to approve the termination of Harbor Lease 86-007, Ronald Kullman dba City Net Shop and accept ownership of building(s) located on the lease property subject to the removal of Mr. Kullman's all personal property from the lease property. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 8. **CONSIDER AND ACT ON AN ORDINANCE MODIFYING NOISE, AMENDING SECTION 18-2, SAME - ILLEGAL ACTS GENERALLY, AND SECTION 18-3, SAME - ILLEGAL ACTS SPECIFICALLY, OF CHAPTER 18, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS; PROVIDING AN EFFECTIVE DATE.**

After discussion, Council Member Hametner made the motion to table this item until the July 16, 2007 Council meeting. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 9. **CONSIDER AND ACT ON RESOLUTION 2007-589 AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT FOR A BOAT RAMP GRANT; AUTHORIZING PERSONNEL TO ACT ON MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF ARANSAS PASS WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE TEXAS PARKS & WILDLIFE DEPARTMENT AND THE STATE OF TEXAS.**

The City Manager stated Mr. Dave Sullivan with Naismith Engineering will submit the grant application for the City at no charge and the grant has a match of 25%, meaning the City would pay 25% of the costs to repair the piers.

After discussion on the in-kind services for the City's part of the grant, Council Member Hametner made the motion to authorize the filing of a grant application with the Texas Parks & Wildlife Department for a Boat Ramp Grant, Authorizing personnel to act on matters related to the application, and pledging that if a grant is received, the City of Aransas Pass will comply with the grant requirements of the Texas Parks & Wildlife Department and the State of Texas. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 10. **REPORT ON CURRENT FISCAL YEAR BUDGET FROM CITY MANAGER.**

The City Manager stated most line items were not 66% of the budget where they were supposed to be. There had been budget adjustments caused by unexpected expenses such as the APDG and Electrotex settlement. He stated the Council would receive a balance sheet at the next Council meeting.

ITEM 11.

ITEM 12.

REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS:

At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.

The City Manager reported:

- The Phase 2 Environmental reports from Weston Engineering would be completed July 13.
- The City of Ingleside was working on reciprocating fees for their skate park and the City's pool.
- The City had exercised the 90-day feasibility with the General Land Office on the Harbor, which the City Attorney was completing.
- Public Works Director Darren Gurley had turned in his resignation.
- Margaret Garret had repaired the broken dock at the Harbor Park for the City and the City would compensate her for the repairs. The Council thanked Ms. Garrett.

A Certificate of Appreciation was presented to David Espitia by Fire Chief Ritz from the Fire Department, City and Council in recognition of his Eagle Scout project in which he painted 64 fire hydrants for the City.

Ann Melton stated residents of Trinity Towers in Corpus Christi will tour the harbor July 27 to see the progress of the harbor cleanup. Ms. Melton also requested the City return to the old City shrimp logo.

Mayor Knight stated eight boats, two barges and two giant tow boats had been removed from the harbor and demolished.

ITEM 13.

ADJOURNMENT OF MEETING.

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:38 p.m.

ATTEST:

Tommy Knight, Mayor

Ada Owens, City Secretary